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Promotion and protection of human rights

The rule of law at the national and international levels

Letter dated 18 May 2015 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the Final Statement of the International Conference on Challenges to Security and Human Rights in the Arab World, which was held on 5 and 6 November 2014 in Doha, State of Qatar (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda items 68 and 82.

(*Signed*) Alya Ahmed S. **Al-Thani**
Ambassador
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Annex to the letter dated 18 May 2015 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General

[Original: Arabic]

Final statement of the International Conference on Challenges to Security and Human Rights in the Arab World

5 and 6 November 2014

Doha, Qatar

The International Conference on Challenges to Security and Human Rights in the Arab World was held in Doha on 5 and 6 November 2014. It was jointly organized by the National Human Rights Committee of Qatar, the Secretariat of the League of Arab States, the Secretariat of the Council of Arab Ministers of the Interior, the Office of the United Nations High Commissioner for Human Rights and the Arab Network of National Human Rights Institutions.

It was attended by high-level representatives from ministries of the interior and justice, national human rights institutions, civil society organizations from the Arab world, experts in United Nations special procedures mandates and human rights treaty bodies, and representatives of human rights mechanisms of regional and international organizations.

The Conference was held in the light of the organizers' commitment to reaffirm the importance of respecting the rule of law in order to ensure that individuals, institutions and public and private bodies, including executive authorities, are held accountable under laws and regulations that are transparent, consistent with international human rights standards and applicable to everyone without discrimination.

The main objectives of the Conference were to discuss the linkage and interplay between the preservation of security and respect for human rights, both of which are fundamental responsibilities of States; the challenges facing the Arab world in that regard; the experiences of States in confronting those considerable challenges; and the experiences of regional and international organizations relating to security and human rights issues.

Participants discussed a number of priority topics, including the importance of the partnership among security institutions, national human rights institutions and civil society organizations with a view to respecting and fostering human rights; the importance of human rights codes of conduct for security institutions; and the need to build capacities and reform security, penal and correctional institutions in the Arab countries, including countries undergoing a transition.

Participants reviewed international and regional experiences regarding the relation between the work of security and human rights institutions, the efforts of United Nations special procedures mandate holders and treaty bodies and the experiences of certain international organizations in creating partnerships with security agencies.

Participants discussed the human rights situation in the Arab world. They underscored the dangerous proliferation of extremism, exclusion, sectarianism, hate speech and violence; the threat posed, particularly by terrorist groups, to the security of States and of religious and national minorities; and the harassment and intimidation, from whatever quarter, of human rights activists, both men and women, and civil society organizations.

Participants discussed the grave violations of international humanitarian law and international human rights law perpetrated against the Palestinian people by Israel. They called on the international community and the United Nations to take urgent measures to protect the Palestinian people, end the occupation and establish an independent Palestinian State.

Participants emphasized the following points:

1. Terrorism has a negative long-term impact on society. It destabilizes Governments, undermines civil society and endangers peace, security and economic and social development, with serious repercussions for the enjoyment of human rights.

2. One of the most critical functions of States is to preserve individual and collective security. States should therefore take all necessary measures to guarantee security while upholding the rule of law and respecting the human rights set forth in the relevant international conventions.

3. The protection of human rights does not necessarily undermine national security, and security measures do not necessarily undermine human rights.

4. In their efforts to combat terrorism, Arab States should draw on the United Nations Global Counter-Terrorism Strategy, which is grounded in human rights and the rule of law.

5. Terrorism cannot be associated with any particular religion, nationality, civilization or ethnic group.

Participants made the following recommendations:

Obligations of States

1. States should establish oversight and accountability mechanisms to ensure that law enforcement authorities do not take advantage of their powers to take arbitrary action against individuals or groups.

2. States should respect the Declaration on Human Rights Defenders; respect and protect journalists; prohibit and prevent torture; call on States that hold prisoners of conscience, including human right defenders, to release them; strengthen the independence of the judiciary and the transparency of legal proceedings; and respect international standards for fair trials and the fight against corruption.

3. States should adopt and implement measures to ensure compliance with the principles of the rule of law, equality before the law without discrimination and the prevention of arbitrary measures.

4. States should harmonize national covenants on security and human rights with international standards. States that have not yet done so should accede to the

relevant international conventions, particularly the Convention against Torture and its Optional Protocol, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and Rome Statute of the International Criminal Court.

5. States are encouraged to cooperate with Human Rights Council special procedures mandate holders and with United Nations treaty bodies.

6. States are encouraged to reform in the judiciary and the security sectors as necessary.

Partnership among security institutions, national human rights institutions and civil society organizations in order to promote and respect human rights

7. Ongoing and regular dialogue among security institutions, civil society organizations and national human rights institutions should be encouraged. When conditions allow, consideration should be given to the establishment of a mechanism for cooperation among those organizations in order to ensure that security measures are compatible with international human rights standards and the Code of Conduct for Law Enforcement Officials (1979).

8. A legal framework and safeguards should be put in place in order to uphold the right to assembly and freedom of expression; enable civil society organizations and journalists to operate without harassment; and strengthen the independence of national human rights institutions.

9. National institutions should take integrated action in order to provide training and awareness raising in a systematic manner. Officials responsible for awareness-raising in national human rights institutions should hold organizational meetings to formulate a plan of action which should result in executive programmes for each institution.

10. The media has an important role to play in developing relations among national institutions, civil society and security institutions. The work of the media in that area should therefore be encouraged.

Human rights codes of conduct for security institutions; international, regional and local capacity-building

11. Arab States should be urged to adopt codes of conduct for the security institutions and public employees, including a commitment to human rights and their comprehensive implementation in accordance with the Code of Conduct for Law Enforcement Officials (1979).

12. A joint seminar of Arab national human rights commissions and security agencies should be convened to assess and review the Model Code of Conduct for Arab Security Officers and the Guidance Code for Public Officials, both of which were endorsed by the Council of Arab Ministers of the Interior, and propose ways to promote those instruments.

13. Arab States are urged to promote human rights training and education for security institutions.

14. It is important to learn from the range of experiences in striking a balance between security and respect for human rights.

15. The topic of human rights should be included in the curricula of academies and police training centres, including the rights of detainees, the right to peaceful assembly, and the rights of refugees, internally displaced persons, migrant workers and other special categories such as children. The rights of women should be given particular consideration.

16. All of the necessary means, including financial and technical resources and training, should be made available in order to ensure that law enforcement officers perform their duties in accordance with international human rights standards. Commitment to human rights should be a fundamental benchmark for the selection and promotion of law enforcement officers.

Reform of security, penal and correctional institutions in accordance with international human rights standards

17. Human rights departments should be established and strengthened in ministries of the interior and security institutions.

18. Investments should be made in human resources, capacity-building and improving the efficiency of workers. An appropriate budget should be made available for that purpose.

19. The security sector and penal and correctional institutions should be overhauled through a review of the relevant legislation. Financial resources should be provided for the development and modernization of the security sector.

20. Legal accountability should be strengthened, and action should be taken to prevent impunity for human rights violations.

21. Steps should be taken to improve the effectiveness of national institutions and parliamentary committees monitoring security institutions.

22. Partnerships should be established between civil society and security institutions with a view to promoting security and good governance in security institutions and ensuring respect for human rights.

23. The right to access to information and transparency regarding the work of the security institutions should be upheld in order to build confidence and enhance cooperation between the community and security institutions, in accordance with the law and investigative procedures.

24. Arab countries are urged to benefit from the advisory services of the Office of the United Nations High Commissioner for Human Rights.

25. Arab countries should document and exchange best practices and experiences of penal and correctional institutions.

Follow-up on and implementation of the recommendations

26. A regular conference of civil society organizations, national human rights institutions and representatives of Arab ministries of the interior should be convened.

27. National human rights institutions should organize meetings to be attended by representatives of concerned security and Government institutions and

civil society organizations with a view to implementing the recommendations of the Doha Conference at the national level.

28. The National Human Rights Committee of Qatar should form a working group of the Conference partners to monitor and evaluate the implementation of the recommendations.

29. The Chair of the National Human Rights Committee of Qatar should transmit these recommendations to Arab and international institutions and organizations.

Lastly, participants thanked the State of Qatar, the National Human Rights Committee of Qatar, the League of Arab States, the Council of Arab Ministers of the Interior, the Office of the United Nations High Commissioner for Human Rights and the Arab Network of National Human Rights Institutions for their efforts in organizing the Conference, and invited them to continue to work with stakeholders in order to implement the recommendations that had been adopted.

6 November 2014

Doha, Qatar